

**10792. Adulteration of eggs. U. S. v. 250 Cases of Eggs. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 15320. I. S. No. 6945-t. S. No. E-3514.)**

On July 29, 1921, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 250 cases of eggs, remaining unsold in the original unbroken packages at Waterbury, Conn., alleging that the article had been shipped by the Litchfield Produce Co., Litchfield, Minn., on or about July 8, 1921, and transported from the State of Minnesota into the State of Connecticut and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On August 11, 1921, Morris & Co., Waterbury, Conn., claimant, having consented thereto, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product might be delivered to said claimant, upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$5,000, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10793. Adulteration and misbranding of color. U. S. v. 1 Pound of Color. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15600. I. S. No. 6914-t. S. No. E-3639.)**

On November 10, 1921, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 pound of color, remaining unsold in the original unbroken package at New Haven, Conn., alleging that the article had been shipped on or about August 8, 1921, by Haug & Co., Inc., New York, N. Y., and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Green Color Prepared From Certified Colors. Haug & Co., Inc. Manufacturers of The 'Never-Fail' Brands \* \* \* 295 Broadway New York."

Adulteration of the article was alleged in the libel for the reason that there had been mixed and packed with it nonpermitted color or dye, salt, sodium sulphate, and arsenic in excessive amounts, so as to reduce and lower and injuriously affect its quality and strength, and for the further reason that sodium chlorid had been substituted wholly or in part for the article.

Misbranding was alleged for the reason that the label upon the package containing the article bore certain statements, designs, words, and devices regarding the article and the ingredients and substances contained therein which were false and misleading and deceived and misled the purchaser, to wit, "Green Color Prepared From Certified Colors \* \* \* The 'Never-Fail' Brands Flavoring, Spices, Colors and Bakers', Confectioners and Ice Cream Specialties." Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale under the distinctive name of another article.

On January 10, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10794. Adulteration of salmon. U. S. v. 560 Cases of Salmon. Default decree of condemnation and forfeiture. Product ordered turned over to the fish warden of the State of Oregon. (F. & D. No. 15606. S. No. W-876.)**

On November 1, 1921, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 560 cases of salmon, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped on or about March 27, 1920, and transported from the State of New York into the State of Washington, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Xtragood Brand Alaska Pink Salmon Packed by Straits Packing Co. Skowl Arm, Alaska."

Adulteration of the article was alleged in the libel for the reason that it consisted of a filthy, decomposed, and putrid animal substance.

On December 19, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to the fish warden of the State of Oregon for use in the State fish hatcheries.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10795. Misbranding of olive oil. U. S. v. 5 Alleged 1-Gallon Cans, More or Less, of Olive Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15708. I. S. No. 1770-t. S. No. C-3347.)**

On December 6, 1921, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on or about January 31, 1922, an amended libel, for the seizure and condemnation of 5 alleged 1-gallon cans of olive oil, remaining unsold and in the original unbroken packages at Henryetta, Okla., alleging that the article had been shipped on or about August 10, 1921, by Andrew Russo & Co., Chicago, Ill., and transported from the State of Illinois into the State of Oklahoma, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "One Gallon Net Diana Brand Superfine Olive Oil."

Misbranding of the article was alleged in the libel for the reason that the statement, to wit, "One Gallon Net," borne and labeled on each of said cans, concerning the quantity of said article of food contained therein, was false and misleading, in that said statement represented each can as containing 1 gallon net of said article of food, and for the further reason in substance that the article was labeled as aforesaid so as to deceive and mislead the purchaser thereof into the belief that said cans each contained 1 gallon net of the article, whereas, in truth and in fact, said cans did not each contain 1 gallon net of the article of food but contained a less quantity. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the stated quantity, to wit, "One Gallon Net," was incorrect and represented more than the actual contents of the package.

On June 29, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10796. Misbranding of olive oil. U. S. v. 7 Gallons, 22 Quarts, and 22 Pint Cans of Olive Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15922. I. S. Nos. 11235-t, 11236-t, 11237-t. S. No. W-1040.)**

On January 16, 1922, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7 gallon cans, 22 quart cans, and 22 pint cans of olive oil, so-called, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped on or about July 27, 1921, by Deligiannis Bros., Chicago, Ill., and transported from the State of Illinois into the State of Washington, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Universal Brand Deligiannis Brothers Chicago."

Misbranding of the article was alleged in the libel for the reason that the statements on the respective containers, to wit, "one gallon," "one quart," and "one pint," were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 10, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10797. Adulteration of beans. U. S. v. 25 Cases, 77 Cases, and 17 Cases of Stringless Beans. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 16133, 16134, 16135. I. S. No. 11246-t. S. No. W-927.)**

On April 26, 1922, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and